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Linda McCulloch
Superintendent

January 30, 2006

To: Special Education Directors
Special Education Cooperative Directors

From: Dan McCarthy, Preschool and Monitoring Specialist

Re: Changes to the Individualized Education Program (IEP) Procedures and Documentation

The reauthorized Individuals with Disabilities Education Act of 2004 requires each state to develop and evaluate a State Performance Plan (SPP) as its accountability mechanism for measuring improved outcomes for students with disabilities. Among the 20 performance indicators upon which the Office of Public Instruction will report is one that requires an annual report of the percentage of preschool children with an Individualized Education Program (IEP) who demonstrate improved: (1) Positive social-emotional skills (including social relationships); (2) Acquisition and use of knowledge and skills (including early language/communication and early literacy); and (3) Use of appropriate behaviors to meet their needs. To collect this information, the Office of Public Instruction changed IEP development procedures for all children who are 3, 4, and 5 years of age, and some 6-year-old students. A copy of the IEP page insert is attached. A fact sheet, titled *FAQs About IDEA 2004a: Data Collection for 3, 4, 5, and 6 Year Old Children with Disabilities*, accompanies the one-page IEP supplement.

What changed?

A new page has been added to the IEP form. This page requires the IEP team to indicate the child's present level of performance with respect to three performance areas.

When must IEP teams begin to document student performance considerations?

Beginning on March 1, 2006, the IEP team for each 3-, 4-, and 5-year-old student will address each of the three performance areas at both initial and annual IEP meetings, and at annual IEP meetings for a child who is six.

Who will be affected by the change?

In general, only IEPs for preschool-age children will have to address these performance considerations. Preschool-age children are those who are 3, 4, or 5 years of age. At every initial IEP meeting, the team must indicate whether the child performs either at a level comparable to same-age peers or not for each of the three performance areas. At every annual IEP meeting, the team must indicate whether the child reached or maintained a level of performance comparable to same-age peers; improved but not to the level of same-age peers; or did not improve. This requirement will apply to all preschool-age children, regardless of disability category, placement, or services provided.

"It is the mission of the Office of Public Instruction to improve teaching and learning through communication, collaboration, advocacy, and accountability to those we serve."

How does the IEP team decide what the child's level of performance is?

Each IEP team will conduct an assessment of the child's performance. The assessment should consider "relevant functional, developmental, and academic information" documented on the *Referral* form, gathered through the *Evaluation Plan*, discussed at the Child Study Team meeting. The IEP team will also consider the results of classroom-based assessments and observations of the child's teacher and related service providers, and, when appropriate, other sources of current information about the child's performance.

How will the OPI collect the resulting performance data?

The OPI will collect this information as a part of the annual Child Count data taken on December 1, 2006.

What is the benefit to children?

This IEP performance assessment will direct the attention of the IEP team to consider those factors highly likely to influence a preschool-age child's success in school.

Where do I find more information about the State Performance Plan?

Montana's State Performance Plan is readily found on the Office of Public Instruction's Web site: <http://www.opi.mt.gov/>, on the Special Education page under the title State Performance Plan. For additional information about the State Performance Plan, contact Marilyn Pearson, Assistant Director of the Division of Special Education (406-444-4428) or e-mail mpearson@mt.gov.

Will more information be made available?

Yes. Vision-Net presentations scheduled for 9:00 AM on February 7 and 9, 2006 will discuss the new IEP requirement. The one-hour Vision-Net presentation will be broadcast to the eight sites below on February 7 and the other sites on February 9. To register for one of the Vision-Net presentations, please contact Anne Lowney, Division of Special Education (406-444-5661), or e-mail alowney@mt.gov. No materials will be available on-site, so those attending should print the materials ahead of time (they are included as attachments to this e-mail).

February 7, 2006		February 9, 2006	
Kalispell	Hardin	Missoula	Colstrip
Great Falls	Miles City	Havre	Glendive
Helena	Glasgow	Butte	Plentywood
Billings	Bozeman	Lewistown	Conrad

A streaming video will be posted on the OPI Web page as a means of informing special education teachers, related service providers, administrators, and others involved with the provision of special education for young children with disabilities.

For additional information, contact Dan McCarthy, Preschool and Monitoring Specialist with the Division of Special Education (406-444-4425) or e-mail danmcc@mt.gov.

Attachment